

Appl. No. : **09/539,032**
Filed : **March 30, 2000**

REMARKS

Claims 1 and 4-9 have been amended. Thus, claims 1-9 remain presented for examination. Support for the amendment to claim 1 may be found in the specification at, for example, page 2, paragraph 2; page 7, steps vii) and viii); and in original claim 1. Thus, no new matter has been added. The remainder of the claim amendments correct grammatical, format and/or usage errors.

Objection to the Specification

The Examiner objected to the specification, alleging that it did not provide support for a step of providing electronic data representing peptide libraries for selected organisms as set forth on amended page 7. Although Applicants do not agree with this assertion, the specification has been amended to remove this disclosure solely to expedite prosecution of the application.

In view of this amendment, Applicants respectfully request withdrawal of the objection to the specification.

Claim Objection

The Examiner objected to claim 1, stating that the phrase "generating computationally" in step (i) of claim 1 was grammatically awkward and suggested recitation of --computationally generating--. Appropriate correction has been made. For the sake of clarity and consistency, similar language has also been provided in steps (ii)-(v) in claim 1.

In view of the amendment to claim 1, Applicants respectfully request withdrawal of the claim objection.

Rejection Under 35 U.S.C. §112, first paragraph

Claims 1-9 were rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Examiner alleged that a step of identifying "conserved sequences" not present in a host organism using method steps (i)-(vi) as recited in claim 1 was new matter. Although Applicants do not agree with the rejection, claim 1 as amended no longer recites this language. Newly amended claim 1 recites "comparing said extended conserved

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peptide sequences obtained in step (v) to host organism protein sequences to determine which of said conserved peptide sequences are not present in host proteins, wherein said conserved peptide sequences which are not present in host proteins are useful as drug targets” which finds support in the specification at, for example, page 2, paragraph 2; page 7, steps vii) and viii); and in original claim 1.

Thus, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph, are respectfully requested.

Rejection Under 35 U.S.C. §112, second paragraph

Claims 1-9 were rejected under 35 U.S.C. §112, second paragraph, based on recitation of “identifying conserved sequences not present in a host organism” in step (vii) of claim 1. Claim 1 as amended no longer recites this language, thus rendering this rejection moot. Newly amended claim 1 recites “comparing said extended conserved peptide sequences obtained in step (v) to host organism protein sequences to determine which of said conserved peptide sequences are not present in host proteins, wherein said conserved peptide sequences which are not present in host proteins are useful as drug targets” which finds support in the specification at, for example, page 2, paragraph 2; page 7, steps vii) and viii); and in original claim 1.

In view of the amendment to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

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Conclusion

Applicants have made an earnest effort to respond to all objections and rejections set forth in the Office Action, and submit that all claims are in condition for allowance. If any issues remain that could be resolved by telephone, the Examiner is cordially invited to contact the undersigned at the telephone number provided below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: December 19, 2005

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